



ARIZONA CORPORATION COMMISSION

EXECUTIVE DIRECTOR
Matthew J. Neubert

SECRETARY
Carolyn D. Buck
Phone: 602-542-3931
cdbuck@azcc.gov

COMMISSIONERS
Chairwoman Lea Márquez Peterson
Sandra D. Kennedy
Justin Olson
Anna Tovar
Jim O'Connor

REVISED NOTICE

OPEN MEETING OF THE ARIZONA CORPORATION COMMISSION

Tuesday, March 23, 2021
10:00 a.m.

Hearing Room One
1200 W. Washington St.
Phoenix, AZ 85007

This shall serve as notice of an open meeting at the above location for consideration, discussion, and possible vote of the items on the agenda and other matters related thereto. Commissioners may attend the proceedings in person, or by telephone, video, or internet conferencing, and may use this open meeting to ask questions about the matters on the agenda. The parties to the matters to be discussed or their legal representatives are requested, though not required, to attend telephonically. The Commissioners may move to executive session, which will not be open to the public, for the purpose of legal advice pursuant to A.R.S. § 38-431.03 (A) (3) and (4) on the matters noticed herein.

Because of the guidance issued by state and federal officials regarding the Covid-19 pandemic, meetings of 10 or more should be by teleconference only. Only essential Commission staff will attend in person. The public is strongly discouraged from attending in person. The public will be able to participate by either watching and listening to the meeting online or listening to the meeting via telephone. For those wishing to enter an appearance or provide public comment for a particular item please use the dial in phone numbers. Once the item for which you are appearing or providing public comment is concluded, please hang up and watch the live stream. Participants will be invited to and may attend by video or internet conferencing.

Persons with a disability may request reasonable accommodations by contacting the Commission Secretary listed above at least 48 hours prior to the scheduled commencement of the Open Meeting.

Agendas are also available online at: azcc.gov/agendas

Dial-in Phone Number: 1-866-705-2554 Passcode to Speak: 241497
1-866-705-2554 Passcode to Listen Only: 2414978

This meeting will be available online at: <http://www.azcc.gov/live>



ARIZONA CORPORATION COMMISSION

NOTE: The Commission may choose to take testimony under oath.

Pledge of Allegiance

Invocation/Reflection

Ceremonial Matters (Proclamations, Awards, Guest Introductions, and Announcements)

CHAIRWOMAN'S PROPOSED CONSENT AGENDA

1. **Seth Jardine *et al.*** ([S-21122A-20-0284](#)) – Proposed Order to Cease and Desist, Order for Administrative Penalties, and Consent to Sane By: Seth Jardine, EcoVista Development, LLC, and EcoVista Avondale, LLC; Order to Dismiss Without Prejudice Re: Caroline Jardine.
2. **Arizona Public Service Company** ([E-01345A-20-0016](#)) – Application for Approval of Revisions to Service Schedule 3.
3. **Hamilton NG911, Inc** ([T-21121A-20-0283](#)) – In the Matter of the Application of Hamilton NG911, Inc. for Approval of a Certificate of Convenience and Necessity to Provide Intrastate Telecommunications Services in Arizona.
4. **NGA 911, LLC** ([T-21118A-20-0272](#)) – In the matter of the application of NGA 911, L.L.C. for approval of a Certificate of Convenience and Necessity to provide Intrastate Telecommunications Services in the State of Arizona.
5. **Vesta Solutions, Inc** ([T-21115A-20-0254](#)) – Application of Vesta Solutions, Inc. for approval of a Certificate of Convenience and Necessity to provide intrastate telecommunication services.
6. **Lingo Communications North, L.L.C. and Matrix Telecom, L.L.C.** ([T-03864A-20-0240](#) & [T-03228A-20-0240](#)) – In the matter of the application of Lingo Communications North, LLC and Matrix Telecom, LLC for internal reorganization and transfer of customers from Lingo Communications North, LLC to Matrix Telecom, LLC.
7. **TracFone Wireless, Inc.** ([T-20664A-20-0347](#)) – In the matter of the joint application of Verizon Communications Inc. and TracFone Wireless, Inc. for a limited waiver of the affiliated interest rules.
8. **Arizona Water Company and Coronado Utilities, Inc.** ([W-01445A-20-0322](#) & [SW-04305A-20-0322](#)) – In the matter of the joint application of Arizona Water Company and Coronado Utilities Inc. for approval of agreement for sharing of information regarding water consumption and water service disconnection tariff at variance with A.A.C. R14-2-210 (A)(3) and wastewater service termination tariff.



ARIZONA CORPORATION COMMISSION

9. **Cedar Grove Water, Inc** ([W-020541A-18-0161](#)) – In the matter of the application of Cedar Grove Water, Inc. for authorization to implement a loan surcharge related to the debt financing the Commission approved in Decision No. 77368 (Aug. 19, 2019).
10. **Tonto Basin Water Co., Inc.** ([W-03515A-20-0266](#)) – In the matter of the application of Tonto Basin Water Co., Inc., an Arizona Corporation, for authority to (1) issue evidence of indebtedness in an amount not to exceed \$2,775,000; and (2) encumber its real property and plant as security for such indebtedness.
11. **Trico Electric Cooperative, Inc.** ([E-01461A-20-0383](#)) – In the matter of the application of Trico Electric Cooperative, Inc., for approval of an Updated Avoided Cost Rate for its Net Metering Tariffs.
12. **Southwest Gas Corporation** ([G-01551A-19-0064](#)) – In the matter of the application of Southwest Gas Corporation for an accounting order authorizing the deferral of costs related to the implementation of its customer data modernization initiative.
13. **Guilford Nergard** ([S-21146A-21-0044](#)) – Order for Suspension, Administrative Penalty, and Consent to Same. (Securities Division) **(ITEM ADDED)**
14. **Liberty Utilities (Gold Canyon Sewer) Corp.** ([SW-02519A-19-0022](#)) – Request for Extension of Time with Notice and Opportunity to be Heard pursuant to A.R.S. § 40-252. (Utilities Division) **(ITEM ADDED)**
15. **Dragoon Water Company, Inc.** ([W-01917A-19-0170](#) and [W-01917A-19-0246](#)) Request to Implement a Financing Surcharge. (Utilities Division) **(ITEM ADDED)**
16. **Graham County Utilities, Inc.** ([W-02527A-20-0343](#)) - Application of Graham County Utilities, Inc. (Water Division) for a determination of the fair value of its property for ratemaking purposes, to fix a just and reasonable rate of return thereon, to approve rates designed to develop such return, and for related approvals. (Utilities Division) **(ITEM ADDED)**
17. **Arizona Public Service Company – PURPA** ([E-01345A-20-0356](#)) – Approval of two Qualifying Facility Energy Purchase and Sale Agreements between Arizona Public Service Company and CO Bar Solar A LLC and CO Bar Solar B LLC pursuant to Paragraphs B and C of Section V of the Cogeneration and Small Power Production Policy adopted in [Decision No. 52345](#) (July 27, 1981). (Utilities Division) **(ITEM ADDED)**
18. **Arizona Public Service Company – Aggregation Tariff** ([E-01345A-19-0148](#)) – Approval for Staff to enter a conforming order approving an extension of the April 1, 2021, filing date established in [Decision No. 77855](#) (Dec. 31, 2020) to May 1, 2021, and permitting Arizona Public Service Company to file a status report on April 1, 2021, with Notice and Opportunity to be Heard pursuant to A.R.S. § 40-252. **(ITEM ADDED)**



ARIZONA CORPORATION COMMISSION

19. **Arizona Public Service Company – Line Siting** ([L-00000D-06-0635-00131](#)) – Approval for Staff to enter a conforming order re-opening Decision No. 65997 (Jun. 18, 2003) and Decision No. 63943 (Feb. 20, 2007) (collectively, the “CEC Decisions”) to consider the merits of an application Arizona Public Service Company filed on March 10, 2021 to alter or amend the CEC Decisions after notice and opportunity to be heard pursuant to A.R.S. § 40-252 (the “Application”) and referring the Application and CEC Decisions to the Arizona Power Plant and Line Siting Committee to take evidence and issue a Recommended Order and Opinion to the Commission on whether the CEC Decisions should be altered or amended as requested in the Application. **(ITEM ADDED)**

REGULAR AGENDA

20. **EPCOR Water Arizona, Inc. and Johnson Utilities, L.L.C.** ([WS-01303A-20-0298](#) & [WS-02987A-20-0298](#)) – Application of EPCOR Water Arizona Inc., and Johnson Utilities, L.L.C. for Approval to Transfer the Certificates of Convenience and Necessity of the Water and Wastewater System Assets of Johnson Utilities, L.L.C. to EPCOR Water Arizona Inc.; Update from Commission Staff, Johnson Utilities, L.L.C., EPCOR Water Arizona Inc., and other party intervenors regarding the status of the Proof of Acquisition and ADEQ Approval required under [Decision No. 77854](#).
21. **Arizona Water Company** ([W-01445A-18-0400](#) and [W-01445A-19-0278](#)) – Application for Commission Authorization for certain record-keeping methods related to costs associated with the increase in water rates due to Ajo Improvement Company’s rate case. Application for a determination of the fair value of its utility plant and property, and for adjustments to its rate and charges for utility service furnished by its Wester Group and for certain related approvals. **(ITEM ADDED)**
22. **Arizona Corporation Commission** ([RU-00000A-19-0132](#)) – Commission discussion, consideration, and possible vote in the matter of Proposed Modifications to the Rules Regarding Termination of Service; opportunity for members of the public to provide brief comments. The Commission may vote to go into Executive Session for discussion and consultation with its attorneys in these matters pursuant to A.R.S. § 38-431.03.A (3) and (4), which will not be open to the public.
23. **Arizona Public Service Company – Power Supply Adjustor** ([E-01345A-16-0036](#) and [E-01345A-16-0123](#)) – Commission discussion, consideration, and possible vote regarding the implementation of the 2021 Power Supply Adjustor (PSA) and alternatives proposed by the Utilities Division Staff. **(ITEM ADDED)**
24. **Tucson Electric Power Company – Power Supply Adjustor** ([E-01933A-19-0028](#)) – Tucson Electric Power Company’s Application for Authorization for Annual Purchased Power and Fuel Adjustment Clause (“PPFAC”) Rate Adjustment. **(ITEM ADDED)**



ARIZONA CORPORATION COMMISSION

25. **Arizona Corporation Commission** ([WS-00000A-21-0034](#)) – Commissioner Tovar’s investigation into perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) water contamination from Luke Air Force Base fire training activities and the impact on neighboring public service corporations; Commission discussion, consideration, and possible vote to adopt one or more policy statements, orders of general applicability, tariffs, or surcharges authorizing the immediate deferral or collection of costs associated with the effort to address or adopt any and all measures reasonably necessary to remediate potential PFOS and PFOA contamination in the water supply of regulated water utilities.
26. **Arizona Corporation Commission** ([W-00000C-16-0151](#)) – In the matter of the Arizona Corporation Commission Investigation into Potential Improvements to its Water Policies; Commission discussion, consideration and possible vote on a proposal from Chairwoman Lea Márquez Peterson **filed on March 11, 2021 (available here)** to modify and expand Arizona Administrative Code R14-2-107 (regarding streamlined rate case requirements and process for rural electric distribution cooperatives) to rural Class D and E water and sewer utilities that are operating at a loss and seek, in an effort to promote gradualism and reduce rate shock for their customers, modest requests for rate increases, to adjust for inflation, keep up with standard maintenance and repairs, and recover increases in costs due to increases in purchased power expense. **Opportunity for members of the public to provide brief comments regarding the proposal. (LANGUAGE ADDED)**
- ~~27. **Arizona Corporation Commission** ([T-00000A-20-0336](#)) – In the matter of Commission investigation into possible modification to the Arizona Universal Service Fund High Cost Fund Rules; Commission discussion, consideration, and possible vote on a proposal from Chairwoman Lea Márquez Peterson to transition the Arizona Universal Service Fund High Cost Fund (Title 14, Chapter 2, Article 12, Part A of Arizona Administrative Code) to a rural broadband development grant fund, to help bridge the digital divide between urban and rural communities in Arizona and deliver universal, equal, and equitable access to high-speed broadband internet across the state, including tribal and rural communities where last-mile and middle-mile infrastructure has been underprovided. **(ITEM PULLED)**~~
28. **Arizona Corporation Commission** ([AU-00000E-17-0079](#)) – In the matter of the Commission's Investigation and Promulgation of a Code of Ethics; Commission discussion and possible vote on possible amendments pursuant to Rule 10.1 of the Code.
29. **Arizona Corporation Commission** – Commission discussion, consideration, and recap of items or requests for items to be included on the next Regular Open Meeting Agenda; opportunity for Commissioners to request specific items be included on the next Regular Open Meeting Agenda.